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**Cc:** Dygowski, Laurel[Dygowski.Laurel@epa.gov]; Worstell, Aaron[Worstell.Aaron@epa.gov]  
**From:** Daly, Carl  
**Sent:** Tue 7/30/2013 4:55:55 PM  
**Subject:** RE: Casper Star Tribune Editorial: EPA best advised to honor Wyoming regional haze plan

It doesn't appear that the editorial board read our proposal thoroughly – we proposed to approve WY's plan for Jim Bridger, but we were taking comment on whether the BART schedule should be moved up to 2017.

“one detail best sums up the feds' inability to act in a sensible manner: Wyoming's plan, among other things, requires PacifiCorp to install nitrogen oxide controls on four units at its Jim Bridger plant near Rock Springs in 2015, 2016, 2021 and 2022. The EPA is calling for the process to be completed by the fall of 2017.”

Should we contact the Star-Tribune to clarify?

Carl Daly

303-312-6416

**From:** Mylott, Richard  
**Sent:** Tuesday, July 30, 2013 10:14 AM  
**To:** Daly, Carl; Fallon, Gail  
**Subject:** Casper Star Tribune Editorial: EPA best advised to honor Wyoming regional haze plan

**Fyi. Just now seeing this....in case you hadn't.**

**EPA best advised to honor Wyoming regional haze plan**

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2013-07-26T05:00:00Z 2013-07-27T15:22:11Z EPA best advised to honor Wyoming regional haze planCASPER  
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The Environmental Protection Agency's proposal to step up Wyoming's regional haze management plan fails to balance real-world economics with sound clean-air strategies.

The state of Wyoming, utilities and the energy industry support reasonable air pollution control measures. And they have been, and are willing to continue, investing in such measures. However, during a recent public hearing in Cheyenne conducted by EPA officials, Gov. Matt Mead said the agency's plan would additionally cost utilities more than \$1 billion to improve and retrofit coal-fired power plants with pollution control devices, and an additional

\$100 million a year after that to maintain clean air standards that only marginally improve on what Wyoming's proposal would do.

The EPA plan adopts some Wyoming strategies but rejects parts as inadequate. It has proposed changes while seeking to reduce haze in national parks and wilderness areas by further limiting air pollution from the coal-fired plants in the state.

Trouble is, state officials and power company executives were correct when they pointed out during the Cheyenne hearing that much of Wyoming's visibility problems in such areas can be attributed to forest fires.

Everyone wants to see less air pollution. As a result, ratepayers face a hike no matter what. The question is, why not a gradual increase instead of a pocketbook-busting spike?

One detail best sums up the feds' inability to act in a sensible manner: Wyoming's plan, among other things, requires PacifiCorp to install nitrogen oxide controls on four units at its Jim Bridger plant near Rock Springs in 2015, 2016, 2021 and 2022. The EPA is calling for the process to be completed by the fall of 2017.

"I can't think of a worse way to hurt those who are lower income or middle income and to make no difference," Mead said during his testimony. "We are not talking about a health standard here, we're talking about a visibility standard."

Wyoming's strategy was based on studies using scientific formulas provided by the EPA, federal pressure on several states to address the Clean Air Act and the need to implement pollution-control measures that wouldn't rock an already fragile coal economy. The state produces 40 percent of the nation's coal.

In addition to the quicker Jim Bridger timeline, the EPA wants PacifiCorp to install additional emissions control equipment at its Wyodak plant near Gillette and its Dave Johnston plant near Glenrock.

Last year, though, the utility installed emissions controls at its Naughton power plant near Kemmerer and has agreed to convert one Naughton unit to natural gas, as requested by the state.

Meanwhile, state officials recently announced Wyoming is one of 12 states that will sue the EPA to force the release of agency records related to some lawsuits by environmental groups, according to The Associated Press.

The suits seek to show the EPA cooperated with environmental groups through a process known as "sue and settle" to impose new or tougher environmental regulations.

Sue and settle reportedly occurs when an organization files a lawsuit against an agency for missing a deadline for issuing a rule or properly administering a regulation. Agencies can choose to defend themselves or settle with the petitioner.

Interestingly, the EPA adopted its more stringent Wyoming haze management plan after entering a consent decree with WildEarth Guardians, which had filed a lawsuit in Colorado.

In other words, the EPA didn't initially do its job, Wyoming took action on its own, then the agency became heavy-handed.

That is not only unsound policy, it's reckless.